

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JESSE THOMAS FULLER,

Petitioner,

v.

JASON BENNETT, Superintendent,
Stafford Creek Corrections Center,

Respondent.

CASE NO. 2:24-cv-00983-TL-TLF

ORDER

This matter is before the Court on Petitioner’s Motions for Relief from Judgment. Dkt. Nos. 28, 29. On September 20, 2024, Petitioner filed a notice of appeal with the Ninth Circuit, appealing the judgment. Dkt. No. 9. As this Court has previously explained, “[o]nce a notice of appeal is filed, the district court is divested of jurisdiction over the matters being appealed.” Dkt. No. 21 at 1 (quoting *Nat. Res. Def. Council, Inc. v. Sw. Marine Inc.*, 242 F.3d 1163, 1166 (9th Cir. 2001)). “The Court retains only limited jurisdiction to maintain the status quo pending the appeal.” *Id.* at 2 (citing *Nat. Res. Def. Council*, 242 F.3d at 1166). As with Petitioner’s prior motions for relief from judgment (Dkt. Nos. 10, 16) that were stricken (Dkt. No. 21 at 2), the

1 relief Plaintiff seeks through his new motions is also the subject of his appeal and is beyond the
2 Court's limited jurisdiction to maintain the status quo.

3 Accordingly, Petitioner's motions (Dkt. Nos. 28, 29) are STRICKEN, as the Court does not
4 have jurisdiction to rule on the motions. Any additional such filings will not be entertained by
5 the Court.

6 Dated this 2nd day of January 2025.

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Tana Lin
9 United States District Judge